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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,195	09/13/2000	Tomoaki Hokao	Q60810	7594
7590	05/05/2006		EXAMINER	
Sughrue Mion Zinn Macpeak & Seas 2100 Pennsylvania Avenue N W Washington, DC 20037-3202			MOORE, IAN N	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/661,195	HOKAO, TOMOAKI
	Examiner	Art Unit
	Ian N. Moore	2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 January 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 8-10,22-24,36-38,48,53 and 58-64 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 8,22,36 and 58-63 is/are allowed.
- 6) Claim(s) 64 is/are rejected.
- 7) Claim(s) 9,10,23,24,37,38,48,53 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive and more than seven words. A new title is required that is clearly indicative of the invention to which the claims are directed. (See 37 CFR 1.72(a) and MPEP § 606)

The following title is suggested: **CDMA Mobile terminal controlling and storing scramble codes.**

Claim Objections

2. Claims 9,10,23, 24, 37,38,48,53, and 64 are objected to because of the following informalities:

Claim 9 recites, “a scramble code” in line 3. It is unclear whether “**a scramble code**” in line 3 the same as “a scramble code” (stored in the memory means) in claim 8, line 5, or “a scramble code” (other than the scramble code stored in the said memory) in claim 8, line 18.

Claim 10 recites, “a scramble code” in line 2. It is unclear whether “**a scramble code**” in line 2 the same as “a scramble code” (stored in the memory means) in claim 8, line 5, or “a scramble code” (other than the scramble code stored in the said memory) in claim 8, line 18.

Claim 23 recites, “a scramble code” in line 2. It is unclear whether “**a scramble code**” in line 2 the same as “a scramble code” in claim 22, line 18-19.

Claim 24 recites, “a scramble code” in line 2. It is unclear whether “**a scramble code**” in line 2 the same as “a scramble code” in claim 22, line 18-19.

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Claim 37 recites, “a scramble code” in line 2. It is unclear whether “**a scramble code**” in line 2 the same as “a scramble code” in claim 36, line 14-15.

Claim 38 recites, “a scramble code” in line 2-3. It is unclear whether “**a scramble code**” in line 2-3 the same as “a scramble code” in claim 36, line 14-15.

Claim 48 recites, “a scramble code” in line 4. It is unclear whether “**a scramble code**” in line 4 the same as “a scramble code” in claim 22, line 18-19.

Claim 53 recites, “a scramble code” in line 4. It is unclear whether “**a scramble code**” in line 4 the same as “a scramble code” in claim 36, line 14-15.

Claim 64 recites, “a neighboring cell” in line 2. It is unclear whether “**a neighboring cell**” in line 2 the same as “a neighboring cell” in claim 8, line 4 (assuming the claim 64 depends on it), “a neighboring cell” in claim 22, line 4 (assuming the claim 64 depends on it), “a neighboring cell” in claim 36, line 4 (assuming the claim 64 depends on it), or “a neighboring cell” in claim 58,59,60,61,62, or 63, line 4 (assuming the claim 64 depends on it).

Appropriate corrections are required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **New claim 64** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 64 depends on canceled claim 18. Thus, it is unclear to determine the claimed invention of recited claim 64.

Response to Amendment

5. The applicant cancels all rejected claims.

Response to Arguments

6. There is no argument presented by the applicant.

Allowable Subject Matter

7. Claims 8,22,36,58-63 are allowed.
8. Claims 9,10,23,24,37,38,48,53,64 are objected to as set forth in paragraph 2, but would be allowable if rewritten in to overcome the objection.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N. Moore whose telephone number is 571-272-3085. The examiner can normally be reached on 9:00 AM- 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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5-1-06

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SUPERVISORY PATENT EXAMINER
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